Journal of the International Association of Buddhist Studies

Volume 17 • Number 2 • Winter 1994

GREGORY SCHOPEN

The Monastic Ownership of Servants or Slaves: Local and Legal Factors in the Redactional History of Two *Vinayas*

We still, it seems, know very little about how Buddhist monastic communities became fully institutionalized in India, or how such Indian monastic organizations actually functioned. This, in part at least, is because we still know very little that is certain about the *vinaya*, and because very little attention has been paid to those things which allowed such communities not only to endure over time, but to prosper, and made, in fact, the monastic life possible—property, buildings, money, forced labor and corporate organization. Historians of Indian Buddhism seem slow, if not entirely reluctant, to admit or allow what their medievalist colleagues elsewhere take as a given:

> Yet monasticism is not just about forms of Christian service, the daily round of prayer and contemplation by those who lived within the cloister . . . Religious houses were also corporations which owned land, administered estates and enjoyed rights and privileges which needed ratifying and defending.[1]

Moreover, medievalists have been fully aware of the fact that different monastic groups or orders could—and did—deal with these various concerns very differently, at least in their formal legislation, and that these differences were often directly linked to the social, political and

1. J. Burton, *Monastic and Religious Orders in Britain, 1000-1300* (Cambridge: 1994) x. As a small sampling of the richness of historical studies on Western monasticisms see esp. B. D. Hill, *English Cistercian Monasteries and Their Patrons in the Twelfth Century* (Urbana: 1968); R. B. Dobson, *Durham Priory 1400-1450* (Cambridge:1973); D.J. Osheim, *A Tuscan Monastery and Its Social World. San Michele of Guamo (1156-1348)* (Roma:1989); B. H. Rosenwein, *To Be the Neighbor of Saint Peter. The Social Meaning of Cluny's Property, 909-1049* (Ithaca / London: 1989).

economic contexts in which the various monastic groups operated.[2] The study of Buddhist monasticism has, to be sure, been hampered in this regard by the availability of significantly less documentation. But it is also just possible that what documentation it has—and it is still considerable—has not been fully utilized. There is a comparative wealth of inscriptional data bearing on the economic and institutional history of monastic Buddhisms which has yet to be fully used; there are as well the monastic codes of six different Buddhist orders, although only one of these is easily available in a translation into a European language, and the rest have been comparatively ignored.

But the study of the institutional history of Buddhist monasticisms may also have been hampered as much by some of its own assumptions. It has, for example, been commonly believed—and still is by some—that elements found to be common to all or most of the extant *vinayas* must go back to a hypothetical, single, "pre-sectarian," primitive *vinaya*.[3] This belief has had at least two consequences. First, most of the energy and effort in the study of the *vinayas* has been directed toward finding or ferreting out these common elements. This procedure has resulted in, if nothing else, a kind of homogenization of potentially significant differences and has led—at least according to Sylvain Lévi—"to a kind of single archetype, which is not the primitive *Vinaya*, but the average of the *Vinayas*."[4] Secondly, this same belief has almost necessarily determined that any deviation from the mean or average would have to be

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2. The distinctive differences between Christian monasticism in early Ireland and most of the rest of Europe is commonly said to have been conditioned, if not determined, by the absence of towns in early Ireland, by the fact that Ireland had never been part of the Roman Empire and by the fact that Irish society was essentially tribal; see J. F. Webb and D. H. Farmer, *The Age of Bede* (London: 1988) 13, and, much more fully, L. M. Bitel, *Isle of the Saints. Monastic Settlement and Christian Community in Early Ireland* (Ithaca / London: 1990) esp. 1, 87.

3. The most elaborate study based on this assumption is still E. Frauwallner, *The Earliest Vinaya and the Beginnings of Buddhist Literature* (Rome: 1975). For a succint discussion of some of the larger problems involved in this approach, and for references to other conceptualizations of the relationship between the various *vinayas*, see G. Schopen, "The Ritual Obligations and Donor Roles of Monks in the Pāli Vinaya," *Journal of the Pali Text Society* 16 (1992) 87-107, esp. 104-06 and notes.

4. S. Lévi, "Les saintes écritures du bouddhisme. Comment s'est constitué le canon sacré," *Mémorial Sylvain Lévi* (Paris: 1937) 83: "Réduits par élagage à leurs éléments communs, les Vinaya de toutes les écoles se ramènent sans effort à une sorte d'archétype unique, qui n'est pas le Vinaya primitif, mais la moyenne des Vinaya."

explained in chronological terms as a "late addition" or "an isolated accretion"—as if there were no other possible explanation for such differences. We are, in short, left with little sense of how the differenct monastic orders might have solved different or even common problems, or what kinds of external forces might have been working on the different orders in different geographical and cultural areas. If I. B. Horner was right—and that is likely—about the important influence of lay values on monastic rules and legislation,[5] then, unless one wants to argue for a uniform level and type of lay culture throughout early India and Sri Lanka, the different orders in different places could not have been subjected to the same sets of influences, and must have had to adapt to a wide range of local lay values. Something like this is, indeed, explicitly allowed for in the *Mahīśāsaka Vinaya* for example:

> Le Buddha dit: . . . Bien qu'une chose ait été autorisée par moi, si dans une autre région on ne la considère pas comme pure, personne ne doit s'en servir. Bien qu'une chose n'ait pas été autorisée par moi, si dans une autre région il y a des gens qui doivent nécessairement la pratiquer, tout le monde doit la mettre en pratique.[6]

And explicit instances of adaption of monastic rule to local custom can be found in all the *vinayas*, as, for example, in the case where monks in Avantī were allowed to bathe constantly because "in the southern region of Avantī people attach importance to bathing, to purification by water."[7] The recognition of the force of local values is in fact also a characteristic of Indian *Dharmaśāstra* where it is an accepted principle that "custom prevails over dharma."[8]

These, however, are large questions and are themselves not easily treated. Nor will any one case bring a definitive solution. But if we are to begin to make an effort towards determining the various stages in the process of the institutionalization of monastic Buddhisms, and to begin

5. I. B. Horner, *The Book of the Discipline*, vol. I (Oxford: 1938) xvi-xvii; cf xxviii-xxix.

6. J. Jaworski, "Le section de la nourriture dans le vinaya des mahīśāsaka," *Rocznik Orjentalistyczny* 7 (1929-30) 94; something like this sense—though not so clearly expressed—may be lurking in the corresponding passage in the *Mahāvihārin Vinaya*: see H. Oldenberg, *The Vinaya Piṭaka*, vol. I (London: 1879) 250-51 (I have used this edition throughout).

7. Horner, *The Book of the Discipline*, iv 263.

8. R. W. Lariviere, *The Nāradasmṛti* (Philadelphia: 1989), pt. 1, 18 (I.34); pt. 2, 11 (I.34); see also V. N. Mandlik, *Mānava-Dharma-Śāstra* (Bombay: 1886; repr. 1992) VIII. 46.

to understand the external forces which might have been involved in the process, then it is probably best not to begin with generalizations—they, it seems, may already have created a considerable muddle. However tiresome, we must start with particulars and particularity, and look closely at how, for example, the literate members of these monastic orders saw, or wanted others to see, particular and presumably significant moments in their own institutional histories.

Potentially, of course, there are any number of such "moments" that could be studied, but I have chosen to limit the discussion here to the accounts in only two *vinayas* of the particular circumstances in which the Buddha was said to have allowed the use, acceptance, or ownership of a particular kind of property, property whose use or ownership would seem to have entailed and presupposed significant institutional developments. In both *vinayas* the property in question is a certain category or class of domestic servant or slave, a more precise definition of which will depend on the discussion of the texts. The choice of the two *vinayas* to be taken into account is determined by my own linguistic incompetence. But—perhaps as a small proof that at least occasionally you can indeed make a silk purse out of a sow's ear—these two *vinayas* also represent the two opposite ends of the chronological continuum conventionally assumed in most discussions of the composition of the various *vinayas*: the *Mahāvihārin Vinaya* is often believed to be the earliest of the monastic codes,[9] the *Mūlasarvāstivādin Vinaya* the latest.[10] If these chronological assumptions are correct—although my own opinion is that there are no very compelling reasons to think that they are—then a close study of these two accounts will allow us to see how the same tradition was presented by two widely separated monastic codes. It might allow us as well to see if the "separation" between the two has not been determined by something other than time.

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9. For a recent reaffirmation of this view see O. von Hinüber, "The Arising of an Offence: Āpattisamuṭṭhāna. A Note on the Structure and History of the Theravāda-Vinaya," *Journal of the Pali Text Society* 16 (1992) 68n.13.

10. For some references to the sometimes contradictory assessments of the chronological position of the *Mūlasarvāstivādin Vinaya* see G. Schopen, "On Avoiding Ghosts and Social Censure: Monastic Funerals in the *Mūlasarvāstivāda-vinaya*," *Journal of Indian Philosophy* 20 (1992) 36-37 n.69. Regardless of the date of its compilation, the Tibetan translation is clearly later than the Sanskrit manuscripts from Gilgit and the Chinese translation, and should represent the latest form of this *Vinaya*.

We might start with the account now found in the *Bhesajja-khandhaka* or "Section on Medicines," in the *Mahāvihārin Vinaya.*[11]

On that occasion the Venerable Pilindavaccha was clearing an overhang in Rājagṛha, wanting to make a cell. The King of Magadha, Seniya Bimbisāra approached the Venerable Pilindavaccha, saluted him, and sat down to one side. So seated the King of Magadha, Seniya Bimbisāra, said to the Venerable Pilindavaccha: "Reverend, what is the Elder doing?"

"Great King, I am clearing an overhang to make a cell."

"Reverend, does the Noble One need an attendant for a monastery (*ārāmika*)?"[12]

"Great King, the Blessed One has not allowed an attendant for a monastery"

"Then indeed, Reverend, when you have asked the Blessed One about this you should inform me"

The Venerable Pilindavaccha agreed saying "Yes, Great King."

Then the Venerable Pilindavaccha instructed King Bimbisāra with talk connected with Dhamma, inspired, incited and delighted him. When King Bimbisāra had been instructed with talk connected with Dhamma by the Venerable Pilindavaccha, had been inspired, incited and delighted, he stood up from his seat, saluted the Venerable Pilindavaccha, circumambulated him, and departed.

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11. Oldenberg, *Vinaya Piṭaka* i 206.34-208.1; translated in T. W. Rhys Davids and H. Oldenberg, *Vinaya Texts*, pt. II, Sacred Books of the East, vol. XVII (Oxford: 1882) 61-63; Horner, *The Book of the Discipline* iv 281-82. I have intentionally used the title "*Mahāvihārin Vinaya*" to refer to what is usually called "*The* Pāli Vinaya" or "*The* Theravāda Vinaya" or—still worse—simply "The Vinaya." My usage is intended to problematize the status of this *Vinaya*, which is too often assumed to be self-evident. Though we know little or nothing of the details we do know that there were, or appear to have been, competing versions or understandings of "The Theravāda Vinaya" in both Sri Lanka (see H. Bechert, "On the Identification of Buddhist Schools in Early Sri Lanka," in *Indology and Law. Studies in Honour of Professor J. Duncan M. Derrett*, ed. G.-D. Sontheimer and P. K. Aithal (Wiesbaden: 1982) 60-76); V. Stache-Rosen, *Upālipariprcchāsūtra. Ein Text zur buddhistischen Ordensdisziplin*, hrsg. H. Bechert. (Gottingen: 1984) esp. 28-31), and in South India (see P. V. Bapat, "Vimati-Vinodani, A Vinaya Commentary and Kundalkesi-Vatthu, A Tamil Poem," *Journal of Indian History* 45.3 [1967] 689-94; P. Kieffer-Pülz, "Zitate aus der Andhaka-Aṭṭhakathā in der Samantapāsādikā," in *Studien zur Indologie und Buddhismuskunde. Festgabe des Seminars für Indologie und Buddhismuskunde für Professor Dr. Heinz Bechert zum 60. Geburtstag am 26. Juni 1992*, hrsg. R. Grünendahl et al [Bonn: 1993] 171-212), and this must at least raise the question of the representativeness of the redaction of this *Vinaya* that we have.

12. For the sake of convenience—and nothing more—I have adopted Horner's translation of *ārāmika* here. Rhys Davids and Oldenberg fall back on an etymological rendering, "park-keeper," but that fits clumsily into the account since there is no *ārāma* here; cf below.

The Venerable Pilindavaccha sent a messenger then to the Blessed One to say: "Reverend, the King of Magadha, Seniya Bimbisāra, wishes to give (*dātukāma*) an attendant for a monastery. How, Reverend, should it now be done?"

When the Blessed One had given a talk on Dhamma on that occasion, he addressed the monks: "I allow, monks, a monastery attendant."

A second time the King of Magadha, Seniya Bimbisāra, approached the Venerable Pilindavaccha, saluted him, and sat down to one side. So seated Bimbisāra said this to the Venerable Pilindavaccha: "Reverend, has the Blessed One allowed a monastery attendant?"

"Yes, Great King."

"Then indeed, Reverend, I will give a monastery attendant to the Noble One (*ayyassa ārāmikam dammīti*)."

Then the King of Magadha, Seniya Bimbisāra, after he had promised a monastery attendant to the Venerable Pilindavaccha, and had forgotten it, after a long time remembered. He addressed a minister concerned with all affairs: "Sir, has the monastery attendant which I promised to the Noble One been given (*dinna*)?"

"No, Lord, the monastery attendant has not been given to the Noble One."

"But how long ago, Sir, since it was considered?"

The minister then counted up the nights and said to Bimbisāra: "Lord, it has been five hundred nights."

"Therefore indeed, sir, you must give (*detha*) five hundred monastery attendants to the Noble One (*ayyassa*).

The minister assented to the king saying "Yes, Lord," and gave (*pādāsi*) five hundred monastery attendants to the Venerable Pilindavaccha. A separate village was settled. They called it a "Village of Monastery Attendants (*ārāmika-gāma*)." They called it a "Village of Pilinda."[13]

Although their reasons are not always clear or entirely well-founded, a number of scholars have expressed some uneasiness in regard to this text. R.A.L.H. Gunawardana, for example, seems to want to assign the account to "the later sections of the *Vinaya Piṭaka*," but does not say why or how he has identified these "later sections."[14] J. Jaworski, having noted that the account in the Mahāvihārin *Bhesajja-khandhaka* had no parallel in the "Section des Remèdes" in the *Mahīśāsaka-vinaya*, first refers to our text as a "local legend."[15] A few years later he said,

13. There is some uncertainty about where this part of the story ends. Oldenberg has in fact paragraphed the same text in two different ways. I follow that found at Oldenberg, *Vinaya* iii 249 - cf. below n.28

14. R. A. L. H. Gunawardana, *Robe and Plough. Monasticism and Economic Interest in Early Medieval Sri Lanka* (Tucson: 1979) 97.

15. J. Jaworski, "Le section des remèdes dans le vinaya des mahīśāsaka et dans le vinaya pali," *Rocznik Orjentalistyczny* 5 (1927) 100: "Le début du chapitre XV, qui est très développé en pali, n'a pas d'equivalent en chinois. Il s'agit de la fondation d'un village appelé Pilinda-gāma. Cette légende

for essentially the same reason: "la longue histoire sur Pilindavatsa, que nous rencontrons dans *Mahāvagga*, ne peut être qu'une interpolation tardive."[16] Neither Gunawardana nor Jaworski, then, seem to want our text to be early, and it very well may not be, but that does not necessarily mean that it occurs in a "later section" or is a "late interpolation." We will have to return to this point later. For the moment we might look first at Jaworski's suggestion that the Mahāvihārin text is a "local legend."

There are at least two things about the Mahāvihārin text which might suggest that it is local: its beginning and its end. The beginning of the text is unusual. It says that Pilindavaccha . . . *pabbhāraṃ sodhāpeti leṇaṃ kattukāmo*. Rhys Davids and Oldenberg translate this: "Pilindavaccha had a mountain cave . . . cleared out, with the object of making it into a cave dwelling-place"; Horner as: "Pilindavaccha, desiring to make a cave, had a (mountain) slope cleared." Admittedly *leṇa* can mean several things, but first and foremost it seems to mean "a cave used or made into a residential cell," and that is almost certainly its sense here. Moreover, although *sodhāpeti* might mean "clear" in the sense of "removing trees, etc.," it is hard to see why making a "cave" would require clearing a slope or hillside. Then there is the term *pabbhāra* which *The Pāli Text Society Dictionary* defines as, first, "a decline, incline, slope," but its Sanskrit equivalent—*prāgbhāra*—is defined by Edgerton, when it is a noun, as a "rocky overhanging crag with ledge beneath."[17]

There are a number of uncertainties here, but in large part that may be because the activity described in our text is so odd, if not entirely unique: It is not commonly described elsewhere in *Indian* literature, if at all. And it is probably safe to assume that an Indian monk would probably have had as difficult a time as we do understanding what was being referred to—Indian monks normally did not occupy or "improve" natural caves. Sri Lankan monks, however, most certainly did. The hundreds of early Brāhmī inscriptions from Sri Lanka are almost all engraved below the artificially made "drip-ledges" of just such cleared

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locale, où le vénérable Pilinda vaccha tient un grand rôle, n'a que peu de rapports avec le médecine."

16. Jaworski, *Rocznik Orjentalistyczny* 7 (1929-30) 55n.7.

17. F. Edgerton, *Buddhist Hybrid Sanskrit Dictionary* (New Haven: 1953) 390: He gets this sense from Tibetan *bya skyibs*, "lit. bird-shelter," but the equivalence is well attested by the *Mahāvyutpatti* where, as Edgerton notes, *prāgbhāra* follows *parvata* and precedes *darī*.

and improved natural caves or overhangs, and these "caves" are almost always referred to in these records as *leṇas*.[18] W. Rahula, for example, has already noted that "the large number of donative inscriptions of the first few centuries of Buddhism, incised on the brows of the caves found scattered throughout the island, indicates the extent to which the caves were used by monks. . . ."[19] Yet another observation of Rahula's suggests that both the authors and the readers of the Pāli Commentaries might well have had an even more precise understanding of what Pilindavaccha was doing. Rahula says:

> Preparing a cave for the residence of monks was not an easy task. Fortunately, we get in the Pāli Commentaries casual references to the process that was in vogue at least about the fifth-century A. C. First of all, the cave was filled with fire-wood and the wood was then burnt; this helped to remove loose splinters of rock as well as to dispel unpleasant odours. After the cave was cleaned, walls of bricks were built on the exposed sides, and doors and windows fixed. Sometimes walls were plastered and whitewashed.[20]

To judge, for example, by Carrithers' text and photographs some Sri Lankan monks are still living in such accommodations.[21]

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18. S. Paranavitana, *Inscriptions of Ceylon*, vol. I (Ceylon: 1970) ii; see also—especially for the dates assigned to these inscriptions, which in many cases may turn out to have been too early—P. E. E. Fernando, "Palaeographical Development of the Brahmi Script in Ceylon from the 3rd Century B. C. to the 7th Century A. D.," *University of Ceylon Review* 7 (1949) 282-301; W. S. Karunaratne, "The Date of the Brāhmī Inscriptions of Ceylon," in *Paranavitana Felicitation Volume*, ed. N. A. Jayawickrama (Colombo: 1965) 243-51; S. K. Sitrampalam, "The Brahmi Inscriptions of Sri Lanka. The Need for a Fresh Analysis," in *James Thevathasan Rutnam Felicitation Volume*, ed. K. Indrapala (Jaffna: 1975) 89-95; and, in particular, A. H. Dani, *Indian Palaeography* (Oxford: 1963) 214 ff.
19. W. Rahula, *History of Buddhism in Ceylon. The Anurādhapura Period 3rd Century B. C. - 10th Century A. C.* (Colombo: 1956) 113.
20. Rahula, *History of Buddhism in Ceylon*, 114; see also W. M. A. Warnasuriya, "Inscriptional Evidence bearing on the Nature of Religious Endowment in Ancient Ceylon," *University of Ceylon Review* 1.1 (1943) 71-2: "The majority of these caves gifted to the Saṅgha, were natural rock caves—for excavated caves are rare in Ceylon—whose insides were doubtless whitewashed and even plastered, and a mud or brick wall (the latter occurring about the 9th Century, A. D., says Hocart) built so as to form protected or enclosed rooms under the shelter of the rocks." See also *VbhA* 366 cited in the *Pali Text Society Dictionary* under *leṇa*.
21. M. Carrithers, *The Forest Monks of Sri Lanka. An Anthropological and Historical Study* (Delhi: 1983); see especially the 2nd and 6th plate between pp. 128-29.

All of this is not to say that Indian monks never cleared and improved natural rock over-hangs or caves, but the known instances of anything like this are very, very rare in India.[22] In Sri Lanka, on the other hand, this sort of activity was very, very common, in fact, it produced a characteristic form of Sri Lankan monastic "architecture." And it is precisely this characteristically Sri Lankan activity which, I would suggest, is being described in our text of the canonical *vinaya*.

If the beginning of the Mahāvihārin account of Pilindavaccha appears to reflect not Indian, but Sri Lankan practice, so too might the end. The account ends by explaining, or accounting for the origin of, two terms or names which, however, are introduced rather abruptly at the very end: "A village of monastery attendants," *ārāmikagāma*, and "a village of Pilinda," *pilindagāma*. The second of these two is specific and has no other history as far as I know. But the first is a generic name for a category of donation which is, indeed, referred to elsewhere, but not in India. Geiger, for example, has noted in regard to early medieval Sri Lanka, that: "The general expression for monastery helpers was *ārāmika* (46.14; 100.218). A hundred helpers and three villages were granted by Aggabodhi IV's Queen Jeṭṭhā to a nunnery built by her (46.28)."[23] Gunawardana too has noted that in Sri Lanka *ārāmikas* "were, at times, granted in large numbers . . . Aggabodhi I granted a hundred *ārāmikas* to the Kandavihāra, and Jeṭṭhā, the queen of Aggabodhi IV, granted a hundred *ārāmikas* to the Jeṭṭhārāma. Kassapa IV granted *ārāmikagāmas* to the hermitages he built."[24] Evidence of this sort—drawn largely from the *Cūlavaṃsa*—makes it clear that the account of Pilindavaccha now found in the canonical *vinaya* was describing practices that were curiously close to those said by the *Cūlavaṃsa* to have been current, if not common, in medieval Sri Lanka. This, of course, is not to say that *ārāmikas* were not known in Indian *vinaya* texts. There are a number of references to them in the

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22. See the recently discovered and still not fully published early monastic site at Panguraria in Madhya Pradesh: B. K. Thapar, ed., *Indian Archaeology 1975-76—A Review* (New Delhi: 1979) 28-30, pls. xxxix-xli; H. Sarkar, "A Post-Asokan Inscription from Pangoraria in the Vindhyan Range," in B. N. Mukherjee et al, *Sri Dinesacandrika. Studies in Indology. Shri D. C. Sircar Festschrift* (Delhi: 1983) 403-05, pls. 73-75.

23. W. Geiger, *Culture of Ceylon in Mediaeval Times*, 2nd ed., ed. H. Bechert (Stuttgart: 1986) 194 (sec. 187); the numbers refer to chapter and verse of the *Cūlavaṃsa*.

24. Gunawardana, *Robe and Plough*, 98-99; note in particular here the term *ārāmikagāma*.

Mūlasarvāstivādin Vinaya for example. But I do not know of a single reference to the gift of *ārāmikas* in any of the numerous Indian royal donations of land and villages to Buddhist monastic communities recorded in Indian inscriptions, nor does the term *ārāmikagāma* seem to occur anywhere there or in continental literary sources. In this sense, then, if in no other, what is described in the Mahāvihārin account of Pilindavaccha is characteristically Sri Lankan. There are also other indications that would suggest that groups of *ārāmikas* were a particular concern of the compilers of the *Mahāvihārin Vinaya*, and well known to them.

At the end of "the section on Beds and Seats" in the *Mahāvihārin Vinaya*, for example, there is a well-known passage which describes the Buddha "allowing" or instituting a whole series of administrative positions. He "allowed" that an individual monk should be designated as the "issuer of meals" (*bhattuddesaka*), the "assigner of lodgings" (*senāsanapaññāpaka*), the "keeper of the storeroom" (*bhaṇḍāgārika*), the "accepter of robes" (*cīvarapaṭiggāhaka*), etc. In regard to the second to the last administrative office mentioned the text says: "At that time the order did not have a superintendent of monastery attendants (*ārāmikapesaka*). The monastery attendants being unsupervised did not do their work." When the Buddha was told of this he allowed or instituted the office of "superintendent of monastery attendants."[25] The corresponding passage at the end of the corresponding section of the *Mūlasarvāstivādin Vinaya* has a similar list of monastic officials, but one of the several ways in which that list differs from the Mahāvihārin list is that the former makes no reference to an *ārāmikapesaka* or anything like it. Such an office was unknown at least in this piece of Mūlasarvāstivādin legislation.[26] This is particularly interesting since this

25. Oldenberg, *Vinaya* ii 175-77; Horner, *The Book of the Discipline* v 246-49; cf. M. Njammasch, "Hierarchische Strukturen in den buddhistischen Klöstern Indiens in der ersten Hälfte des ersten Jahrtausends unserer Zeitrechnung," *Ethnographisch-Archäologische Zeitschrift* 11 (1970) 513-39, esp. 522-24, 529 ff.

26. R. Gnoli, *The Gilgit Manuscript of the Śayanāsanavastu and the Adhikaraṇavastu. Being the 15th and 16th Sections of the Vinaya of the Mūlasarvāstivādin*, Serie Orientale Roma L (Rome: 1978) 53-56. It does refer to a *preṣaka*, but this term—which is unrecorded in Edgerton—has no connection here with *ārāmika* and appears to designate a general comptroller.

office is also referred to in the Mahāvihārin *Parivāra* and *Aṅguttara-nikāya*.[27]

Beyond considerations of this sort, the way itself in which the Mahāvihārin account of Pilinda is presented seems to presuppose that it was compiled after it was already commonly known what an *ārāmika* was. Notice that the text is not about how *ārāmikas* got their name or what they were. It is about how a village came to be called a "village of *ārāmikas*," or how the name for a certain category of village—*ārāmikagāma*—came to be. The text itself never says what an *ārāmika* was and proceeds as if this were already known. Notice too that the text as it stands not only abruptly introduces the term, but seems to require that *ārāmika* be taken in its technical and specifically Buddhist sense of a—for the moment—" forced laborer attached to or owned by an individual monk or monastic community," but, again, that sense has not yet been articulated. Notice finally that unless the legal status of such a "laborer" had already been established our text would have been a lawyer's nightmare—unless, of course, it was redacted and intended for use in an environment with little legal tradition or where formal laws of ownership and property were little developed. There are otherwise far too many things left undetermined: for what purposes is an *ārāmika* allowed; in who or what does ownership of the *ārāmika* inhere; does the donor retain some rights in regard to the *ārāmika* and if the king is the donor does the *ārāmika* continue to have obligations in regard to the state; what, if any, are the obligations of the donee; what are the obligations of the *ārāmika*; etc. None of this is engaged and there must be at least some question as to whether this would have been acceptable—or even possible—in an Indian world that knew anything about the *Dharma-sūtras* or *Dharma-śāstras*. The issues here might be better focused if we look at our next text.

When Jaworski suggested the account of Pilindavaccha in the *Mahāvihārin Vinaya* was a "late interpolation," and when Gunawardana wanted to assign it to "the later sections" of that collection, both were referring only to the account in the *Bhesajja-khandaka*. Neither seems to have noted that the same account also occurs in the *Suttavibhaṅga* of the same *vinaya*,[28] and neither indicated that a clear parallel to the

27. Oldenberg, *Vinaya* v 204-05; Horner, *The Book of the Discipline* vi 328; E. Hardy, *The Aṅguttara-Nikāya*, part III (London: 1897) 275.
28. Oldenberg, *Vinaya* iii 248-49; Horner, *The Book of the Discipline* ii 126-28.

Mahāvihārin account also occurs in the *Vibhaṅga* of at least one other *vinaya*, the *Mūlasarvāstivādin Vinaya-vibhaṅga* preserved in Tibetan. This Mūlasarvāstivādin parallel complicates, of course, both their observations in a number of ways, but before taking up a discussion of these I first give a translation of the Tibetan text. The Tibetan account translated here, it should be noted, does not fall under the heading of the 23rd "Forfeiture" (*nissaggiya*) as in the *Mahāvihārin Vinaya*, but forms a part of the Mūlasarvāstivādin discussion of the 2nd of the offences requiring expulsion from the order.[29]

> The Buddha, the Blessed One, was staying in Rājagṛha, in the Bamboo Grove and haunt of the Kalandakas. Now it was the usual practice of King Bimbisāra (101b) to go every day to venerate the feet of the Blessed One and each of the Elder monks. On one such occasion King Bimbisāra venerated the feet of the Blessed One and sat down in his presence to hear Dharma. The Blessed One instructed with a talk connected with Dharma the King of Magadha, Śreṇya Bimbisāra, as he was seated to one side, he inspired him, incited and delighted him. When the Blessed One had instructed him in various ways with talk connected with Dharma, had inspired, incited and delighted him, he fell silent. Then King Śreṇya Bimbisāra, when he had venerated the feet of the Blessed One, stood up from his seat and departed.
>
> He went to the *vihāra* (*gtsug lag khang*) of the Venerable Pilindaka. At that time the Venerable Pilindaka himself was doing repair and maintenance work on that *vihāra*.[30] The Venerable Pilindaka saw Śreṇya Bimbisāra, the King of Magadha, from a distance, and when he saw him he washed his hands and feet and sat down on the seat he had prepared.
>
> Śreṇya Bimbisāra, the King of Magadha, then honored with his head the feet of the Venerable Pilindaka and sat down to one side. So seated King Śreṇya Bimbisāra said this to the Venerable Pilindaka: "Noble One, what is this? Do you yourself do the repair and maintenance work?"
>
> "Great King, a renunciant (*rab tu byung ba, pravrajita*) is one who does his own work. Since we are renunciants (102a) what other would do the work?"
>
> "Noble One, if that is so I will give the Noble One a servant (*zhabs 'bring ba, parivāra*)."
>
> The Great King up to four times had this polite exchange. A fifth time too he himself said "I will give the Noble One a servant." But finally a co-residential pupil (*sārdhaṃvihārika*) of the Venerable Pilindaka who spoke truthfully, consistently, and with courage said: "Great King, ever since the Great King offered servants to the Preceptor the Preceptor, when the *vihāra* is in need of repairs, lets it fall to pieces."

29. The translation given here is based on the Derge text reprinted in A. W. Barber, ed., *The Tibetan Tripitaka. Taipei Edition*, vol. I, *'dul ba*, (Taipei: 1991) Ca 101a.7-103b.4. This was the only edition available to me.
30. *de'i tshe na tshe dang ldan pa pi lin da'i bu gtsug lag khang de na ral ba dang 'drums par rang nyid kyis phyir 'chos par byed do*, 101b.4.

The King said: "Noble One, what is this? Did we not repeatedly promise servants?"

"Great King, not only on one occasion, but on five."

Since the King was forgetful it was his usual practice when making even small promises to someone to have all that written down in a document by a man who sat behind him.[31] The King said to the man: "Hear, home-minister! Is it not true that I repeatedly promised this?"

"That is true, Lord, five times."

"Therefore, since I would do what I had agreed I will give the Noble One five hundred servants." He ordered his officers: "Present the Noble One with five hundred servants!"

The Venerable Pilindaka said: "Great King, I have renounced personal servants (*g-yog, parivāra, dāsa*). What do servants have to do with a renunciant?"

"Noble One, you must accept them for the benefit of the Community! (*dge 'dun gyi don du bzhes śhig, saṃghāya gṛhāṇa*)"

"Great King, if that is the case I will ask the Blessed One."

"Noble One, ask, since that would not involve an offence!":

The Venerable Pilindaka reported the matter in detail to the Blessed One.

The Blessed One said: "Servants (*g-yog*) are to be accepted for the benefit of the Community (*dge 'dun gyi don du*)."

The Venerable Pilindaka accepted those servants (102b).

When those servants were repeatedly made to do work in the King's house they said to the Venerable Pilindaka: "Noble One, we were given as servants (*zhabs 'bring ba*) to the Noble Ones (*'phags pa dag gi, āryāṇāṃ*). Since we are delighted with that why are we repeatedly made to do work in the King's house?"

"Good men, do not make trouble! I must speak to the King."

On another occasion Śrenya Bimbisāra, the King of Magadha again approached the Venerable Pilindaka, honored his feet, and sat down in front of him.

The Venerable Pilindaka said: "Great King, do you not regret having given servants (*g-yog*) for the benefit of the Community?"

"Noble One, I do not have the slightest regret.

"But why then are those servants still made to do work in the King's house?"

The King, while still seated on that very seat, ordered his ministers: "Sirs, the servants of the Noble Ones henceforth must not be made to do work in the King's house!"

When the ministers ordered others saying "you must do work in the King's house!," some among them said "we belong to the Noble Ones (*bdag cag 'phags pa dag gi yin no*)."

The ministers said to the King: "Lord, we are unable to order anyone. When we say to someone "you must work in the King's house!," they say "we belong to the Noble Ones."

The King said: "Go! Make them all work!"

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31. *rgyal po de brjed ngas pas rgyal po de'i kun tu spyod pa ni gang yang rung ba la chung zad khas blangs pa ci yang rung ste / de thams cad phyi na 'dug pa'i mis yi ger 'dri bar byed pas* . . . 102a.4.

When they all were again made to do work in the King's house they once again said to the Venerable Pilindaka: "Noble One, we again in the same way were made to work in the King's house. Has the Noble One not spoken to him?"

"Good men, I have spoken to him (103a), but I must do so again."

The Venerable Pilindaka, when King Śreṇya Bimbisāra approached him again in the same way, said: "What is this, Great King? Have you again come to have regrets?"

"Noble One, what have I done wrong?"

"The servants have again been made to work in the same way."

"Noble One, I am not able to order anyone. When I order someone they say 'we belong to the Noble Ones.' Ah! If I had built at some place quarters for the proper bondmen (*lha 'bangs, kalpikāra*) of the Noble Ones, then we would know—'These belong to the King. These belong to the Noble Ones'." (*'di dag ni rgyal po'i 'o / 'di dag ni 'phags pa dag gi 'o/*)

The Venerable Pilindaka said: "I will ask the Blessed One."

The Venerable Pilindaka reported the matter in detail to the Blessed One.

The Blessed One said: "Henceforth having quarters for the proper bondmen constructed is approved."

The monks did not know where to have the quarters for the proper bondmen constructed. The Blessed One said: "Quarters for the proper bondmen should be built outside of the King's house and outside of the Bamboo Grove, but in between where, when they have heard the sound of a summons, they can accomplish the needs of the Community."

The monks informed the sub-ministers: "The Blessed One has said that 'the quarters for the proper bondmen should be built in this place.' You should make that known!"

The sub-ministers had the bell sounded in Rājagṛha and proclaimed: "It is determined that those who are proper bondmen of the Noble Ones are to live outside of Rājagṛha and outside of the Bamboo Grove, but in between. Quarters must now be built there!" They went there and built quarters.

When they had built their bondmen's quarters they went to the *vihāra* and (103b) worked. The monks explained to them the work: "Since this task is proper you should do it. Since this task is not proper you should not do it." Because they performed the proper tasks the designation "proper bondman," "proper bondman" came into being. Because they took care of the *ārāma* of the Community the designation "proper slave," "proper slave" (*rtse rgod, kapyāri*) came into being.

When all the bondmen were in the *vihāra* the monks were not able to achieve mental concentration because of the noise.

The Blessed One said: "Only those who have finished their work should enter the *vihāra*, not all of them."

When the monks had food and clothing distributed to all the bondmen the Blessed One said: "To those who work food and clothing are to be distributed, but not to all."

When the monks ignored those who were sick the Blessed One said: "To those who are sick food and clothing is to be distributed and they should be attended to."

There can be, it seems, very little doubt that the Mahāvihārin and Mūlasarvāstivādin accounts of Pilinda represent two different redactions

of the same tradition. At the very least that would mean that both the *vinaya* that is purported to be the earliest (the Mahāvihārin), and the *vinaya* that is purported to be the latest (the Mūlasarvāstivādin), have this tradition in common. Putting aside the possibility of other redactions in other *vinayas*—at least the Sarvāstivādin *Vinaya* preserved in Chinese may well contain yet another version of the account[32]—conventional wisdom would dictate that the Mūlasarvāstivādin version must be the latest version, and must somehow be based on or borrow from the Mahāvihārin *Vinaya*, through however many intermediaries. At the very least it must come after it. But a comparison of the two versions, rather than confirming this, produces a series of anomalies.

To start with, the Mahāvihārin account which should represent the earliest version has itself been labeled a probable "late interpolation." Moreover, both the beginning and the end of the Mahāvihārin account may well reflect not early Indian, but Sri Lankan practice, and even formally the Mahāvihārin version looks—if anything—like an abbreviated or an abridged version of a longer account. There is, for example, the abrupt and awkward introduction into the Mahāvihārin account of the technical term *ārāmika* before the term itself has been defined. Equally awkward and equally abrupt is the insertion at the very end of reference to the *ārāmika-gāma* or "village of monastery attendants"—the clumsiness of the original is nicely reflected in Horner's translation: "and a distinct village established itself" (*pāṭiyekko gāmo nivisi*). Unlike in the Mūlasarvāstivādin version, there is here no reason given for this, no explanation as to why it should have occurred. This same final passage also underlines the secondary character of the Mahāvihārin account: Here the account is framed in such a way that it becomes not a story of primary origins—as in the Mūlasarvāstivādin account—but of secondary origins. It is here not presented as the story of the origins of *ārāmikas*, but as the story of the origins of "villages of *ārāmikas*," a

32. See J. Gernet, *Les aspects économiques du bouddhisme dans la société chinoise du ve au xe siècle* (Paris: 1956) 124 (citing Taishō 1435). But to judge by Gernet's brief remarks this text could hardly be the source for the Mūlasarvāstivādin account. Moreover, if it is, in fact, a version of the Pilinda story then it—like the Mahāvihārin account—may also contain distinct local elements which in this case could be either Chinese or Central Asian; e. g. the reference to Bimbisāra giving not 'servants' but "500 brigands qui méritaient la peine capitale"—such a practice, says Gernet, was "courante à l'époque des Wei," but there is not, as far as I know, any evidence for this sort of thing in India.

term or concept which the Mūlasarvāstivādin version knows nothing about.

Then there are the matters of content. The Mūlasarvāstivādin version addresses and negotiates a whole series of "legal" and practical issues which the acceptance of such property by monastic groups would almost certainly have entailed—the question of where ownership inheres; the retention of rights or interest in the property by the donor; the obligations of the community, etc.—none of which, as we have seen, are addressed by the Mahāvihārin account. The first of these issues is particularly interesting and the way in which it is handled in the two accounts would seem to point to a particularly striking anomaly: the latest version (the Mūlasarvāstivādin) takes a far more conservative and restricted position in regard to the ownership of "proper bondmen" (*kalpikāra*) or "monastery attendants" than does what should be the earliest version (the Mahāvihārin). The former takes some pains to have Pilindaka point out that as an individual he is a *pravrajita* and as such "does his own work" (*rgyal po chen po rab tu byung ba ni rang nyid kyis byed pa yin te /*), and that he has renounced personal servants (*rgyal po chen po kho bo rang gi g-yog nyid spangs te /*). Moreover, the Mūlasarvāstivādin text explicitly says the servants were given, allowed by the Buddha, and accepted "for the benefit of the community" (*dge 'dun gyi don du*), not as personal property. That ownership inheres not in Pilindaka but in the monastic group is then repeatedly reaffirmed by the consistent use of the plural: the servants say they were given not to Pilindaka but to "the Noble Ones" (*'phags pa dag gi, āryānāṃ*); they say they "belong" not to Pilindaka, but "to the Noble Ones"; the king establishes separate quarters to institutionalize the distinction between those servants that "belong to the king" and those that "belong to the Noble Ones" (*'di dag ni rgyal po'i 'o / 'di dag ni 'phags pa dag gi 'o /*).[33] The Mahāvihārin account, on the other hand, articulates a very

33. The only exception to this in the Mūlasarvāstivādin account occurs in the continuation of the story. There, when a band of thieves is about to set upon the *kalpikāras*, the gods who are devoted to Pilinda (*lha gang dag tshe dang ldan pa pi lin da'i bu la mngon par dad pa*) warn him. In speaking to him they use the expression "Your servants" (*khyed kyi zabs 'bring ba*; 104a.2); but this is an isolated and strictly narrative usage. Note that in both accounts the continuation of the story deals with Pilinda coming to the aid of the *ārāmikas* / *kalpikāras*, but the story line and details are completely different in each. Note, too, that the continuation of the Mūlasarvāstivādin account also contains at 106a.3-113a.6 another, largely unnoticed, Mūlasarvāstivādin version of the text now found in the *Dīgha-nikāya* under the title of the

different conception of ownership. It has nothing to correspond to the Mūlasarvāstivādin repeated clause "for the benefit of the community," and it just as consistently uses the singular: the king promises to give an attendant not to "the Noble Ones," but to "the Noble One" (*ayyassa*), i. e. to Pilindavaccha; likewise when he finally gives five hundred they are given specifically to "the Noble One" or Pilindaka himself. The Mahāvihārin text in fact seems to want to emphasize that the *ārāmikas* were the personal property of Pilinda. It specifically notes that the village was called "The Village of Pilinda" or "Pilinda's Village," and this name—not *Ārāmikagāma*—is repeatedly used in the continuation of the story. The conception of ownership that is articulated in the Mahāvihārin account of Pilinda may in fact be only one instance of a far broader Mahāvihārin attitude towards the "private" possession by monks of "monastic" property, an attitude for which, again, there is little Indian evidence. S. Kemper, for example, has said that "the precedent for the individual holding and willing of property by monks [in Sri Lanka] dates to a tenth-century dedication of property to the use of a particular monk and his pupils."[34] But there is good evidence that this happened much, much earlier. There is at least one early Sri Lankan Brāhmī inscription which dates to the end of the 1st or beginning of the 2nd Century C.E. which records that a *vihāra* was built not for the community, but "for the Elder Godhagatta Tissa," and Paranavitana has noted that "the chronicle has recorded the founding by Vaṭṭagāmaṇī Abhaya of the Abhayagiri-*vihāra*, and some other *vihāras* by his generals, to be given to certain *theras* in recognition of the aid rendered to the king and his followers in their days of adversity.[35] Evidence for anything like this is both very hard to find in Indian Buddhist inscrip-

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Aggañña-suttanta. The Tibetan text here differs in many small ways from the Tibetan translation that occurs in the *Saṅghabhedavastu* at Ga 257b,1ff (cf. R. Gnoli, *The Gilgit Manuscript of the Saṅghabhedavastu. Being the 17th and Last Section of the Vinaya of the Mūlasarvāstivādin*, Serie Orientale Roma XLIX, 1, pt. I, [Rome: 1977] 7-16).

34. S. Kemper, "The Buddhist Monkhood, the Law, and the State in Colonial Sri Lanka," *Comparative Studies in Society and History* 26.3 (1984) 401-27; esp. 417; cf. H.-D. Evers, *Monks, Priests and Peasants. A Study of Buddhism and Social Structure in Central Ceylon* (Brill:1972) 16; H.-D. Evers, "Kinship and Property Rights in a Buddhist Monastery in Central Ceylon," *American Anthropologist*, n. s. 69 (1967) 703-10.

35. S. Paranavitana, *Inscriptions of Ceylon*, vol. II, part I (Moratuwa: 1983) 21-22.

tions, and then only very late.[36] Moreover, in specific regard to the personal possession of *ārāmikas*, at least some Indian *vinayas* explicitly forbid this. In the 8th *Prakīrṇaka* of the *Mahāsāṃghika-Lokottaravādin Bhikṣuṇī-vinaya*, for example, the Buddha is made to say:

> Désormais, il ne convient pas d'entretenir une jardinière personnelle (*tena hi na kṣamati paudagalikām* [rd.: *paudagalikāṃ*] *ārāmikinīm upasthāpayituṃ*)
> Il ne convient pas [d'entretenir] une jardinière, ni une servante, ni une laïque au service de la communaute (*na kṣamati ārāmikinī / na kṣamati ceṭī/ na kṣamati kalpiyakārī*)
> Si une nonne entretient une jardinière personnelle, elle commet une infraction à la discipline. C'est ce qu'on appelle la règle concernant les jardinières[37]

This passage from the Mahāsāṃghika-Lokottaravādin tradition also directs our attention to a final anomaly, or at least distinct difference, between the Mahāvihārin and Mūlasarvāstivādin accounts of Pilinda: it both distinguishes between and conflates the two terms *ārāmika*, "monastery attendant" and *kalpiyakāra*, a form of the term I have translated "proper bondman." The Mahāvihārin account of Pilinda deals with the first, but the Mūlasarvāstivādin is concerned with the second, and the question naturally arises about the relationship between the two terms or categories they designate. The Mahāsāṃghika-Lokottaravādin passage,

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36. The Guṇaighar Copper-plate Inscription of Vainyagupta (507 C. E.) might present an Indian case, but it is difficult to interpret on this point (see D. C. Bhattacharyya, "A Newly Discovered Copperplate from Tippera," *Indian Historical Quarterly* 6 [1930] 45-60, esp. "Overse," lines 3-5; D. C. Sircar, *Select Inscriptions Bearing on Indian History and Civilization*, 2nd ed., vol. I [Calcutta: 1965] 341-45). And in several of the Valabhi grants we find wording like: *ācāryya-bhadanta-sthiramati-kārita-śrī-bappapādīya-vihāre* (G. Bühler, "Further Valabhī Grants," *Indian Antiquary* 6 [1877] 12, l.3-4), which might be—but has not been—taken to mean: "in the monastery called that of Śrī Bappapāda which had been built *for* the Ācārya Bhadanta Sthiramati." Bühler in fact takes it to mean "built *by* the Ācārya . . . " (p.9); so too does Lévi: "l'un [monastery] avait été élevé à Valabhī *par* le savant docteur (*ācārya bhadanta*) Sthiramati" (S. Lévi, "Les donations religieuses des rois de valabhī," in *Mémorial Sylvain Lévi* [Paris: 1937] 231).

37. É. Nolot, *Règles de discipline des nonnes bouddhistes* (Paris: 1991) 344-45 (§262), translating G. Roth, *Bhikṣuṇī-vinaya. Including Bhikṣuṇī-Prakīrṇaka and a Summary of the Bhikṣu-Prakīrṇaka of the Ārya-Mahāsāṃghika-Lokottaravādin* (Patna: 1970) There is, however, good narrative evidence—which I hope to deal with elsewhere—that the Mūlasarvāstivādin tradition, at least, allowed individual monks to own what would have to be called "child oblates," and that these child oblates frequently functioned as menials or acolytes.

if in no other way than by listing them separately, distinguishes between the two terms or categories, but then lumps them together with *ceṭa* ("servant" or "slave") by saying that the rule that applies to all three is called "the rule concerning *ārāmikas*."

This confusion or conflation appears to occur in one form or another almost everywhere. In referring to the *Cūlavaṃsa* Geiger, for example, says that "the terms *kappiyakāraka* 'who does what is appropriate' . . . *paricāraka* 'attendant' . . . and *parivārajana* 'people for service' . . . seem to be synonymous with *ārāmika*."[38] In the "old" commentary embedded in the *Mūlasarvāstivādin Vinayavibhaṅga*, for another example, in the section dealing with the rule against touching gold and silver, the text says: "'*Ārāmika*' means 'one who does what is proper'" (*kun dga' ra ba pa zhes bya ba ni rung ba byed pa'o*).[39] Sorting this out—if even possible—will certainly not be easy and would require a separate study. Here we need only stick to our particular context.

The context in both the Mahāvihārin and Mūlasarvāstivādin accounts of Pilinda makes it clear that the individuals called *ārāmikas* or *kalpikāras* are individuals who engage in or do the physical labor connected with monastic living quarters. In regard to *ārāmikas* this is not problematic—in the *vinayas* of both orders *ārāmikas* continue to be associated with physical or manual labor. But, again in both *vinayas*, individuals of the serving class also come to be given more specific or specialized functions; in both they are sometimes assigned the role of *kappiya-kārakas* or *kalpikāra*. The specialized nature of this role is clear in both *vinayas* in regard to the vexed question of monks accepting money. The *Mahāvihārin Vinaya*, for example, says:

> There are, monks, people who have faith and are believing. They deposit gold (coins) in the hands of those who make things allowable [*kappiya-kāraka*], saying: "By means of this give the master that which is allowable [*kappiya*]." I allow you, monks, thereupon to consent to that which is allowable.[40]

While in the *Bhaiṣajyavastu* of the *Mūlasarvāstivādin-vinaya*, in a discussion of the acceptance by monks of "travel money," we find

38. Geiger, *Culture of Ceylon in Mediaeval Times*, 195.
39. Derge, *'dul ba*, Cha 149a.4.
40. Oldenberg, *Vinaya* i 245.2-5; Horner, *The Book of the Discipline* iv 336.

> Though it was said by the Blessed One "money (*kārṣāpaṇa*) is to be accepted," the monks did not know by whom and how it was to be accepted.
>
> The Blessed One said: "It is to be accepted by one who makes things allow (*kalpikāra*).[41]

In these and numerous other passages in both *vinayas* the *kappiya-kāraka* or *kalpikāra* is an individual who acts as a middleman by accepting things that monks cannot (e. g. money) and converting them into things that they can. This specialized function is well established in both *vinayas*, but the Mūlasarvāstivādin account of Pilinda seems to know nothing of this particular development and appears to be using the term *kalpikāra* in an old, if not original, sense of one who does the manual labor that was deemed proper to him. There is no hint of the developed middleman role. The Tibetan translators too appear to have recognized this. When *kalpikāra* is used in the sense of a middleman "who makes things proper"—as it is in the passage from the *Bhaiṣajyavastu* just cited—it is rendered into Tibetan by *rung ba byed pa*, which means just that. But in the account of Pilinda it is rendered into Tibetan by *lha 'bangs*, a term which seems to carry some of the same connotations as Sanskrit *devadāsa*, "temple slave," which it sometimes translates.[42] Moreover, that the Mūlasarvāstivādin account of Pilinda is old—though it is supposed to be the latest of such accounts—may be further confirmed by the fact that it also uses the even more obscure *kapyāri* precisely where the term *ārāmika*, if then well established, would have both naturally and "etymologically" been expected. After "because they took care of the *ārāma* of the Community" we do not find "the designation

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41. N. Dutt, *Gilgit Manuscripts*, vol. III, pt. 1 (Srinagar: 1947) 248.7-.10. This is the only passage cited by Edgerton, *BHSD* 173, for the form *kalpakāra*, but if there are no others *kalpakāra* would represent yet another ghost word in *BHSD* based on a misreading in Dutt's edition of the *Mūlasarvāstivāda-vinaya*. In both occurrences of the term in this passage the manuscript has clearly *kalpikāra-* (R. Vira and L. Chandra, *Gilgit Buddhist Manuscripts* [*Facsimile Edition*], part 6 [New Delhi: 1974] 772.2). Note too that here *kalpikāra* is translated into Tibetan by *rung ba byed pa*; *'dul ba*, Ga 31b.7.

42. Cf. below. Note that Edgerton too at least hints at a differentation of meanings for his *kalpikāra* and notes that the connection with Pali *kappiyakāraka* is only possible. Virtually his whole entry reads: "*kalpikāra*, m. (cf. *kapyāri*; possibly connected with Pali kappiyakāraka, Vin i.206.12, but the traditional interpretation is different; . . .), Mvy 3840; ? acc. to confused definitions in Tib., Chin., and Jap., would seem to mean some kind of *servant* of monks in a temple or monastery"; *BHSD* 173.

'ārāmika,' 'ārāmika' came into being," but rather "the designation *'kapyāri,' 'kapyāri'* came into being."[43] In other words, the Mūlasarvāstivādin story of Pilinda appears to have been used to account for the origin of both an old, if not obsolete sense, of *kalpikāra*, and the equally—if not more so—obsolete term *kapyāri*. Such obsolescence is hard to account for in what should be a very late text, whereas the use of *ārāmika* in the Mahāvihārin account creates, in this sense at least, no difficulties: in that account an old story may well have been used to explain a relatively late term.

Most of the anomalies that arise from a comparison of the story of Pilinda in the purportedly early *Mahāvihārin Vinaya* and the purportedly late *Mūlasarvāstivādin Vinaya* can perhaps be explained in at least two conventional ways. It is possible, for example, to take the account of Pilinda in the *Mahāvihārin Vinaya* as another instance of the "strong northern influence" on the Buddhist literature of Sri Lanka. E. Frauwallner—in referring to several remarks of S. Lévi—has said almost forty years ago:

> Now it has been remarked long ago that the Buddhist literature of Ceylon, and above all the commentaries, show a strong northern influence. It is met with at every step when one scans the pages of the *Dhammapadaṭṭhakathā*. And some legends show unmistakably the form which they have received in the school of the Mūlasarvāstivādin . . . There was rather a barrowing of themes, above all in the field of narrative literature, which took place on a large scale.[44]

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43. *dge 'dun gyi kun dga' ra ba skyong bar byed pas rtse rgod rtse rgod ces bya ba'i ming du gyur to*, Ca 103b.1. As noted, this would have been a perfect place to find *kun dga' ra ba pa*, the standard equivalent of *ārāmika*. What we do find, *rtse rgod*, is given as an equivalent by the *Mahāvyutpatti* for *kapyāri* and *kalpikāra*, suggesting at least that the two are closely related. Edgerton says, in fact, that *kapyāri* "appears to be Sktization of MIndic form representing *kalpikāra* or °*rin* (something like *kappiyāri)"; *BHSD* 168. He also cites the Chinese as meaning "male or female slave." The Tibetan would seem, however, to be somehow related to the etymological meaning of *ārāma* or *ārāmika*: Jäschke, *A Tibetan-English Dictionary* (London: 1881) gives for *rtse rgod* only the meaning "sport and laughter"; Nyan shul mkhyen rab 'od gsal et al, *Bod rgya tshig mdzod chen mo* (Beijing: 1985) give, as the second meaning of *rtse rgod*: *(rnyin) lha 'bangs dang g-yog po*, vol. II, 2225.

44. Frauwallner, *The Earliest Vinaya and the Beginnings of Buddhist Literature*, 188-89; see also H. Bechert, "Zur Geschichte der buddhistischen Sekten in Indien und Ceylon," *La nouvelle clio* 7-9 (1955-57) 311-60; esp. 355-56; etc.

The account of Pilinda might well fall into line with what is suggested here; it is a "legend" presumably, and certainly falls within "the field of narrative literature." Its late borrowing and adaptation by the Mahāvihārin tradition would seem to account both for its basic narrative similarity with the Mūlasarvāstivādin tradition and the Sri Lankan elements it appears to contain. Such an explanation, moreover, would fit with Jaworski's suggestion that the account was a "late interpolation" in the *Mahāvihārin Vinaya*. But notice that if this explanation is correct then the account of Pilinda presents us with a case of "northern influence" not on the commentaries, but directly on the canon. And it would, indeed, have been strong: if the account is interpolated, then it was interpolated twice into the canonical *Mahāvihārin Vinaya*, once into the *Suttavibhaṅga* and once into the *Bhesajja-khandhaka*.

But it is also possible, perhaps, to explain the anomalies in another way. The account of Pilinda may present us with yet another instance where on close study the Mūlasarvāstivādin tradition, though it is supposed to be late, turns out not to be so. Again almost forty years ago A. Bareau—referring to Przyluski's *Légende d'açoka* and Hofinger's *Concile de vaiçāli*—said:

> However, after deep but very incomplete comparative studies the *Vinayapiṭaka* of the Mūlasarvāstivādins appears clearly to be more archaic than that of the Sarvāstivādins, and even than the majority of other *Vinayapiṭakas*[45]

A case, then, can be made for thinking—contrary to what might have been expected—that the Mahāvihārin account of Pilinda represents a Sri Lankan borrowing and adaptation of the Mūlasarvāstivādin account; and a case can be made for thinking that the Mūlasarvāstivādin account, rather than being the latest, is the earliest. But this may not exhaust what we might learn from the comparison of the two versions, nor do these explanations address the distinct possibility that the Mūlasarvāstivādin version itself is not very early. Notice, for example, that it need not have been very early for it to have been borrowed by the Sri Lankan Mahāvihārins along with other "themes" and "narrative literature." As is suggested by Frauwallner himself the most likely period for the Sri Lankan borrowing of Mūlasarvāstivādin material was during the period

45. A. Bareau, *Les sectes bouddhique du petit véhicule* (Paris: 1955) 154; cf. K. R. Norman, "The Value of the Pali Tradition," *Jagajjyoti. Buddha Jayanti Annual* (Calcutta: May 1984) 7; etc.

from the 2nd to the 5th or 6th Century C. E.[46] There are in fact reasons for thinking that the Mūlasarvāstivādin account is not much earlier than the 2nd Century, and that what separates the two versions is not so much time as cultural and physical geography.

There has been a marked tendency to ignore the remarkable degree of institutional development and sophistication reflected in virtually all of the *vinayas* as we have them, to avoid, in effect, asking how a given ruling attributed to the Buddha could have possibly been put into effect or implemented, or what conditions or organizational elements were presupposed by a given rule. It may be, however, just such questions that will begin to reveal the various layers of institutional forms that were known or presupposed by the redactors of the various *vinayas* that have come down to us. The *Mūlasarvāstivādin* account of Pilinda may serve as a good example.

The Mūlasarvāstivādin account of Pilinda would at first seem to presuppose permanent monastic establishments whose repair and maintenance required a large non-monastic work force—notice that both it and the Mahāvihārin account concern the gift not of single servants or bondmen, but large numbers, though we need not take the number 500 too seriously. Such establishments, to judge by the archeological record, were not early. It seems, in fact, they only begin to appear around the beginning of the Common Era, and even then were probably not the norm.[47] Moreover, a variety of *vinaya* literatures suggest that monks in other instances did, and in many places may have continued to do, their own maintenance and repair work. In the *Suttavibhaṅga* of the *Mahāvihārin Vinaya* there is a long series of cases, for example, dealing with the deaths of monks that resulted from construction accidents—monks building *vihāras* or walls had stones or bricks dropt on their heads, they fell off scaffolds while making repairs, had, again, adzes and beams dropt on them, fell off the roof when thatching the *vihāra*, etc.[48]

46. Frauwallner, *The Earliest Vinaya and the Beginnings of Buddhist Literature*, 187ff.

47. On the late appearance of the large, well organized, walled, quadrangular *vihāra* presupposed by the *vinayas* see J. Marshall *et al*, *The Monuments of Sāñchi*, vol. I (Delhi: 1940) 61-64: J. Marshall, *Taxila. An Illustrated Account of the Archaeological Excavations Carried out at Taxila Under the Orders of the Government of India Between the Years of 1913 and 1934*, vol.1 (Cambridge: 1951) 233, 320; both, however, need to be read critically—see my paper cited below in n. 52.

48. Oldenberg, *Vinaya* iii 80-82; Horner, *The Book of the Discipline* i 140-42.

Elsewhere, in the Mahāsāṅghika *Abhisamācārikā*, for example, there is an explicit ruling made that *all* monks are to do repair and maintenance work on the *vihāra*—claiming exemption by virtue of being a "Reciter of Dharma" (*dharmakathika*) or "Preserver of the *Vinaya*" (*vinayadhara*), etc., is an offence and will not work.[49] Seen in light of texts like these we may begin to see that the redactors of the Mūlasarvāstivādin account of Pilinda may not simply have presupposed a community that could use large non-monastic labor forces, but may also have had in mind a community that found itself in a cultural milieu in which at least prominent monks were not expected to do manual labor and had achieved the status and means whereby they could avoid it.[50]

A related presupposition must of necessity lie behind the seemingly simple ruling that "to those who work food and clothing are to be distributed." This ruling presupposes that the monastic community had the means to do so, that it had sufficient surplus—or was expected to have—to meet its obligations to feed and cloth a large work force. But in addition to presuppositions in regard to the monastic communities access to a considerable economic surplus, the redactors of the Mūlasarvāstivādin account also presuppose that the conception of the *saṅgha* as a juristic personality that could, and did, own property was well

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49. B. Jinananda, *Abhisamācārikā* [*Bhikṣuprakīrṇaka*] (Patna: 1969) 65.5-.9.
50. There is, of course, a distinct possibility that different Buddhist orders in India—like different monastic orders in the West—took different positions in regard to monks engaging in manual labor, and that—again as in the West—those positions could and did change over time, especially when an order's financial condition improved. This is a topic hardly touched in the study of Buddhist monasticisms. For the West see, at least, H. Dörries, "Mönchtum und Arbeit," *Forschungen zur Kirchengeschichte und zur christlichen Kunst* (Festschrift Johannes Ficker) (Leipzig: 1931) 17-39; E. Delaruelle, "Le travail dans les règles monastiques occidentales du quatrième au neuvième siècle," *Journal de psychologie normale et pathologique* 41 (1948) 51-62; but note too that "It has been a romantic notion only with difficulty dispelled by historical research, that the typical (or perhaps ideal) monk laboured in the fields so as to be almost self-supporting. The truth of the matter was far different. Even in the general recommendations of the rule of St. Benedict manual labour was only part and not a necessary part, of a programme of moral culture," J. A. Raftis, "Western Monasticism and Economic Organization," *Comparative Studies in Society and History* 3 (1961) 457. For passages in the *Mūlasarvāstivādin Vinaya* which place a positive value on monks doing manual labor see Gnoli, *Śayanāsanavastu* 37.27-38.3; Dutt, *Gilgit Manuscripts* iii 1, 285.8ff; for a text which seems to implicitly allow monks to continue practicing certain secular trades see Dutt, *Gilgit Manuscripts* iii 1, 280.8-281.18.

established and, more importantly, publicly recognized by the state. At least that was what they were asserting.

None of these considerations argue well for an early date for the Mūlasarvāstivādin account of Pilinda, and this in turn leaves us with two redactions of the same text—the Mahāvihārin and Mūlasarvāsti-vādin—neither of which could be very early. It is, therefore, unlikely that their relative chronology can in any way explain their very significant differences: something else must be involved. What that some-thing is, I would suggest, is that already suggested in regard to the beginning and end of the Mahāvihārin account: locality. These two versions may differ from each other not so much because they were redacted at different times, but because they were redacted in different places, and because there were different social and, more especially, legal forces at work in these different areas.

A number of recent studies on specific topics in the *Mūlasarvāstivādin Vinaya*, for example, have demonstrated, I think, a remarkable degree of contact between that *Vinaya* and Indian *Dharmaśāstra* or "orthodox" brahmanical values. These studies have suggested, for instance, that Mūlasarvāstivādin "monastic regulations governing the distribution of a dead monk's property were framed to conform to, or be in harmony with, classical Hindu laws or *dharmaśāstric* conventions governing inheritance."[51] They have shown as well that this *Vinaya* and the *Yājñavalkya-smṛti* have remarkably similar rules governing lending on interest and written contracts of debt.[52] The redactors of this *Vinaya* in fact frequently appear to be trying to come to terms or negotiate with an established legal system and set of values that surrounded them.[53] Here, in the cultural milieu in which the redactors of this *Vinaya* found themselves, a gift—for example—was not a simple spontaneous act without complications, but a legal procedure involving rights of ownership that had to be defined and

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51. Schopen, *Journal of Indian Philosophy* 20 (1992) 12; Note that at least in Medieval and Modern Sri Lanka practices in regard to the inheritance of a deceased monk's property had developed in a completely different way—see the sources cited above in n.34.
52. G. Schopen, "Doing Business for the Lord: Lending on Interest and Written Loan Contracts in the *Mūlasarvāstivāda-vinaya*," *Journal of the American Oriental Society* 114.4 (1994).
53. G. Schopen, "Ritual Rights and Bones of Contention: More on Monastic Funerals and Relics in the *Mūlasarvāstivāda-vinaya*," *Journal of Indian Philosophy* 22 (1994) 31-80; esp. 62-63.

defended.[54] It is, I think, fairly obvious that the Mūlasarvāstivādin account of Pilinda differs from the Mahāvihārin account almost entirely in terms of legal detail. It takes pains to distinguish between private and corporate ownership of the property involved; it carefully distinguishes between the rights of the king in regard to the labor of those individuals who belong to the king and those who belong to the Community; it insists that the two groups be physically separated, that those that belong to the Community be in effect removed from the general population (they must live outside of the royal house and city), and that this distinction be formally recognized and publicly proclaimed (the ministers sound the city bell and formally announce it); it also clearly defined the Community's obligations to feed, clothe, and give medical aid to their bondmen, and the bondmen's obligation to work.[55] All of this—even an awareness of the problems—is, as has already been noted, completely absent from the Mahāvihārin account, and this can hardly be unrelated to the fact that the *Mahāvihārin Vinaya* as a whole shows little awareness of the very early and elaborate Indian legal system articulated in the *Dharmasūtras* and *Dharmaśāstras*. In fact there is little trace of either in any of the extant sources for early Sri Lankan cultural history, nor is there any strong evidence in these same sources for any clearly established indigenous, formal system or systems of law. The fact that so little is known of the history of Sri Lanka law prior to the Kandy Period would seem to suggest that in early Sri Lanka—in marked contrast to brahmanized areas of early India—formal law and legal literature were little developed.[56] A monastic community in such an

54. A systematic study of gifts and giving in *Dharmaśāstra* has yet to be done, but see P. V. Kane, *History of Dharmaśāstra*, vol. II, part II,(Poona: 1941) 837-88; V. Nath, *Dāna: Gift System in Ancient India (c. 600 B. C. - c. A. D. 300). A Socio-Economic Perspective* (Delhi: 1987).

55. Note that even the reference to the king having his promises recorded in a written document (see the text cited in n.31) seems to place the Mūlasarvāstivādin account in a *dharmaśāstric* environment; see the texts on a king's use of written documents conveniently collected in L. S. Joshi, *Dharmakośa. Vyavahārakāṇḍa*, vol. I, part I (Wai: 1937) 348ff. Note too that—as in for example the Carolingian West—the use of writing in early India may be closely connected with the development of formal legal systems; cf. R. McKitterick, *The Carolingians and the Written Word* (Cambridge: 1989) esp. Ch. 2.

56. See, for example, A. Huxley, "How Buddhist is Theravāda Buddhist Law," in *The Buddhist Forum*, vol. I, ed. T. Skorupski (London:1990) 41-85: "Sri Lanka has produced no lasting tradition of written secular law texts . . ." (p.42) "Sri Lankan Buddhists, despite 1800 years of literate culture, did not produce a lasting textual tradition of secular laws" (p. 82). Huxley sug-

environment would have had considerable latitude in the way in which they would or could frame their own ecclesiastical law, and there would almost certainly have been far less need for precise legal definition, far less need to distinguish one set of rights from another. The absence of a strong legal tradition in Sri Lanka, and the presence of an established, competing system of non-ecclesiastical law in the brahmanical milieu in which the *Mūlasarvāstivādin Vinaya* seems to have been redacted, are sufficient, it seems, to account for the significant differences between the Mahāvihārin and Mūlasarvāstivādin accounts of Pilinda. They can, in any case, not simply be a function of time.

A few loose ends remain, and there is still room for another conclusion.

First of all, it would appear that the accounts of Pilinda in both the *Mahāvihārin* and *Mūlasarvāstivādin Vinayas* contain or deliver the initial rule allowing for the acceptance by monks or monastic communities of *ārāmikas* or *kalpikāras*. They were, as it were, the charters for such practices. But since it also seems that neither account in either *vinaya* can be early, then it would also appear that references to *ārāmikas* and *kalpikāras* elsewhere in their respective *vinayas* also cannot be early. It would seem unlikely that incidental references to *ārāmikas* or *kalpikāras* would precede the rule allowing their acceptance. But since such references are scattered throughout both *vinayas* as we have them the implications of this are both far reaching and obvious.

Then there is the problem of what to call *ārāmikas* or *kalpikāras*: are they servants, forced laborers, bondmen, slaves? This is a problem reflected in the clumsiness of my own translation, but also one that goes way beyond Indian studies. The definition of "slavery," for example, is beset in every field by academic debate and ideological wrangling.[57]

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gests this may be because of, or related to, the absence of "brahmins" to carry such a tradition in Sri Lanka, and the peculiar role of the king there.

57. See M. I. Finley, *Ancient Slavery and Modern Ideology* (New York: 1980); Y. Garlan, *Slavery in Ancient Greece*, rev. and exp. ed., trans. J. Lloyd (Ithaca and London: 1988)—Garlan refers to E. Herrmann, *Bibliographie zur antiken Sklaverei*, published in 1983, which alone contains 5,162 works. For India see now J. A. Silk, "A Bibliography on Ancient Indian Slavery," *Studien zur Indologie und Iranistik* 16/17 (1992) 277-85. For an early inscriptional reference to the giving of male and female slaves" (*dāsidāsa-*) to a Buddhist monastic community see S. Sankaranarayanan, "A Brahmi Inscription from Alluru," *Sri Venkateswara University Journal* 20 (1977) 75-89; it has generally been assigned to the 2nd Cent. C. E.—cf. D. C. Sircar, *Successors of the Satavahanas in Lower Deccan* (Calcutta: 1939) 328-30.

About all that can be done here is to report what our specific texts can contribute to the discussion. We might note first that the language of the Mahāvihārin account is not particularly helpful. It does, however, indicate that *ārāmikas* were human beings who could be, and were, given (*datu-*, *dammi*, *dinna*, *detha*, *pādāsi*) by one person (the king) to another (the Venerable Pilinda), and appear to have been, in this sense at least, chattels. The language of the Mūlasarvāstivādin account is richer, but also has to be filtered through the Tibetan translation. The preponderant verb for the action of the king is the same as in the Mahāvihārin text: it is in Tibetan some form of *'bul ba*, a well attested equivalent of forms from √*dā*. What the king offers and gives is expressed, up until a certain point in the text, by two apparently interchangeable Tibetan terms: *zhabs 'bring ba*, which frequently translates *parivāra*, "suite, retinue, dependants," etc., and *g-yog*, which also translates *parivāra*, but *dāsa*, "slave, servant," as well, and *bhṛtya*, "dependent, servant." These terms are used throughout the text until, significantly, the king determines that a distinction between "those who belong to the king" and "those who belong to the Community" must be institutionalized and the latter must be physically removed from the city. From this point and this point only the text begins to use the term which I have translated "proper bondmen": *lha 'bangs*. *lha 'bangs* is a well attested equivalent for *kalpikāra*, but it is by no means an etymological translation of it. In Tibetan its etymological meaning is "subjects of the god(s)" and Jässchke defines it as "slaves belonging to a temple." In fact the only Sanskrit equivalent other than *kalpikāra* that Chandra gives is *devadāsa*.[58] For what it is worth, then, the Tibetan translators seem to have understood *kalpikāras* to be a special category of slaves.[59] In the Mūlasarvāstivādin account too they are human beings who are owned and can be given, although here they also have at least conditional rights: if they work they have rights to food, clothing and medical attention from their monastic owners.

58. L. Chandra, *Tibetan-Sanskrit Dictionary* (New Delhi: 1961) 2530.
59. The only inscriptional reference to *kalpikāras* that I know occurs in an early 7th Century Valabhī grant made to a Buddhist monastery. There the grant is made in part *kalpikāra-pāda-mūla-prajīvanāya* (D. B. Diskalkar, "Some Unpublished Copper-plates of the Rulers of Valabhī," *Journal of the Bombay Branch of the Royal Asiatic Society* 1 [1925] 27, 1.5), *pāda-mūla* and *prajīvana* being two additional—and largely undefinable—categories of "servants," the former frequently attached to temples in Indian inscriptions.

Finally, and by way of conclusion, we should probably note what should be obvious from the above discussion: the accounts of Pilinda can almost certainly not tell us anything about what very early Buddhist groups were. They, and the *vinayas* as we have them, can, however, tell us a great deal about what those groups had become. There are good reasons for thinking that neither account could have been redacted much before the 1st or 2nd Century C. E. Such a suggested date is, of course, usually enough to have a text or passage dismissed as "late" and of little historical value. But to do so, I think, is to miss completely the importance of such documents: they are important precisely because they are "late." Such "late" documents would provide us, for example, with written sources close to, if not contemporaneous with, the remarkable florescence of monastic Buddhisms visible in the archeological record between the beginning of the Common Era and the 5th or 6th Century, and help us make sense of it. Such "late" documents would provide us with important indications of the activities and interests of the "mainstream" monastic orders during the period when the majority of Mahāyāna *sūtras* were being composed, and, again, help us make sense of them. The apparent fact, for example, that the redactors of two very different *vinayas*, the canon lawyers of two very different orders, were occupied with and interested in framing rules governing the monastic acceptance and ownership of servants, bondmen or slaves in the early centuries of the Common Era can hardly be unrelated to the attacks on and criticisms of certain aspects of institutionalized monasticism found in Mahāyāna *sūtra* literature. Indeed, it may well turn out that the institutional concerns which dominate the various *vinayas* as we have them played a very important—and largely overlooked—role in the origins of what we call the Mahāyāna. But that, too, is another story.